

AGREEMENT

CITY OF LINCOLN
STATE OF NEBRASKA, DEPARTMENT OF ROADS
PROJECT NOS. IM-NH-80-9(862) IM-NH-80-9(863), AND IM-NH-80-9(864)
STATE CONTROL NOS. 12489, 12490, AND 12491
NW 56th TO US-77 SOUTH INTERCHANGE, LINCOLN

THIS AGREEMENT is between the City of Lincoln, hereinafter "City", and the State of Nebraska, Department of Roads, hereinafter "State".

WITNESSETH:

WHEREAS, State has Federal aid Interstate reconstruction projects for which City has no required cost participation located within the Lincoln Municipal Planning Organization's (MPO) planning area. These projects are listed below in Section 1 and shown on Exhibit "A" attached and hereby made a part of this agreement, and

WHEREAS, the City and State have agreed that City will share the cost the above mentioned State projects and that the credit to City for City's cost participation in those projects be applied to the Lincoln South Beltway projects, and

WHEREAS, City has requested State construct a Shared Use Path as shown on Exhibit "B" at City's sole cost. This shared use path will be built from the north end of the State's project on NW 48th Street along the east side of NW 48th Street, passing diagonally through the NW 48th Street Interchange and then proceeding along the west side of NW 48th Street south of the NW 48th Street Interchange to the intersection of NW 48th Street with West O Street, and

WHEREAS, the Mayor is authorized by the City Council to sign this agreement as evidenced by the resolution of the City Council, attached hereto as Exhibit "C" and made a part of this agreement.

NOW THEREFORE, in consideration of these facts, the parties agree as follows:

SECTION 1: IDENTIFICATION OF PROJECTS Parties agree that the City will participate in the cost of the following State Interstate reconstruction projects within the City's Lincoln MPO. The projects are as follows:

- a) Project number IM-NH-80-9(862), CN 12489, known as NW 56th to US-77, South Interchange, Lincoln.
- b) Project number IM-NH-80-9(863), CN 12490, known as NW 48th Street Bridge, Lincoln.
- c) Project number IM-NH-80-9(864), CN 12491, known as NW 56th Street Bridge, Lincoln.

SECTION 2: OBLIGATION OF APPORTIONMENT The Parties agree State will obligate City's federal apportionments for federal fiscal years 2014 and 2015 as they become available to pay project costs referenced in Section 1. The full value of City federal spending authority

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State Control Nos. 12489, 12490, and 12491
NW 56th to US-77 South Interchange, Lincoln

shall be credited to City's cost for the Lincoln South Beltway project.

SECTION 3: CITY REQUESTED RECREATIONAL TRAIL The Parties agree

State will build, as requested by City and at City's sole cost for paving and associated work that is beyond State's scope of work, a shared use path on Project Number IM-NH80-9(862), CN 12489, known as NW 56th to US-77 South Interchange, as shown on Exhibit "B". State will build as a part of its project and at its cost the embankment necessary for the shared use path. The remaining work necessary to construct the shared path including but not limited to concrete pavement, foundation course, shouldering, and traffic signalization, signing and marking shall be accomplished at City's sole cost. City's estimated cost for this work is \$140,000.

SECTION 4: REIMBURSEMENT TO STATE OF CITY'S COST Upon award of the project IM-NH-80-9(862), CN 12489, NW 56th to US-77, South Interchange State will invoice City for City's estimated cost of \$140,000 for constructing the trail. City will reimburse State within 60 days of the receipt of an invoice. Both Parties recognize this is a preliminary estimate and the final cost may well be higher or lower. Upon completion of the work of constructing the trail and required appurtenances the final costs for the trail work will be determined from unit prices and final quantities for items required to complete the work. The final settlement between the State and the City will be made when the final costs have been determined by the State at which State will reimburse City for over payment or invoice City for the remaining balance.

IN WITNESS WHEREOF, the City and State have caused these presents to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the City this ____ day of _____, 2014.

ATTEST:
Teresa J. Meier

CITY OF LINCOLN
Chris Beutler

City Clerk

Mayor

EXECUTED by the State this ____ day of _____, 2014.

STATE OF NEBRASKA
DEPARTMENT OF ROADS
James J. Knott, P.E.

Roadway Design Engineer

RECOMMENDED:

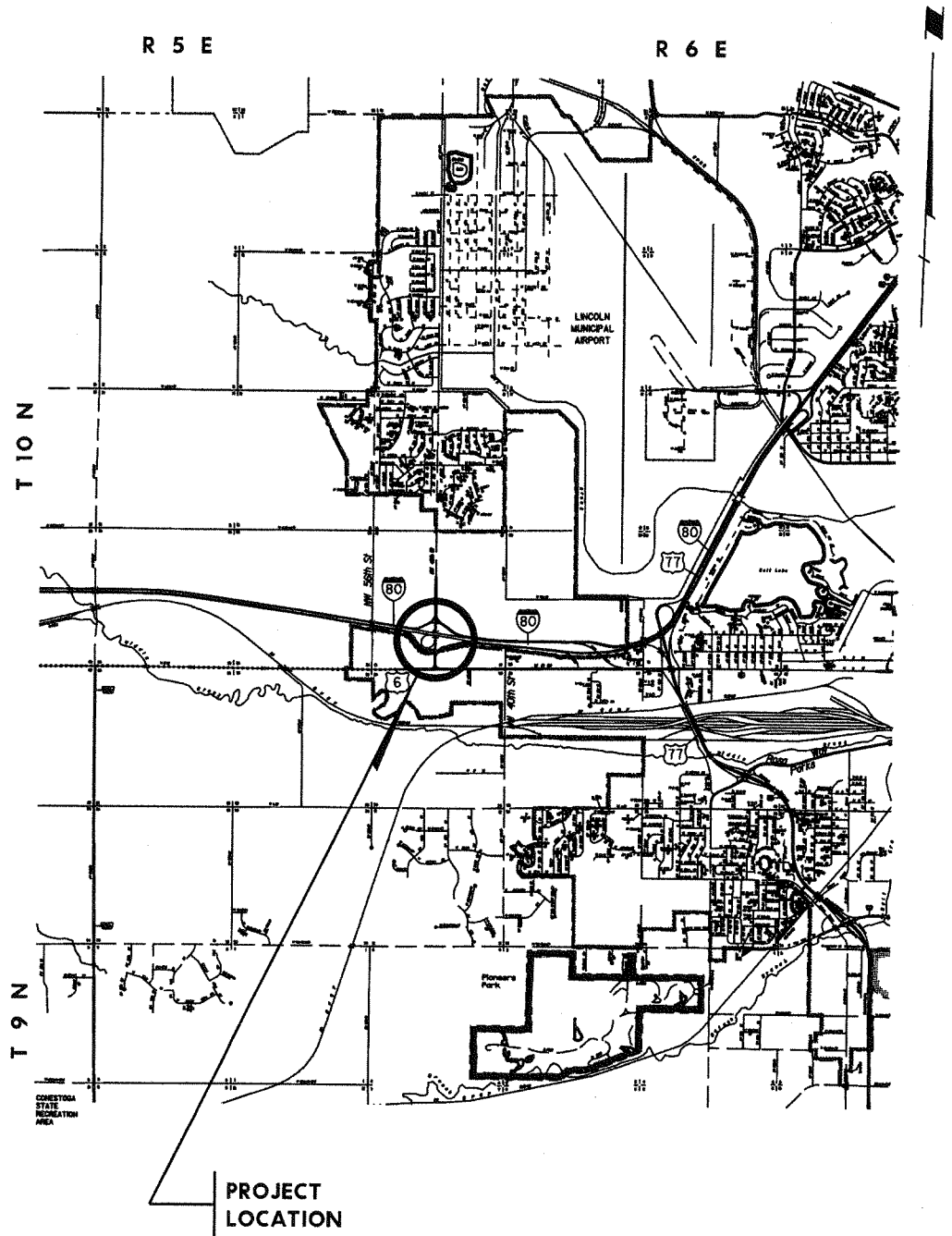
Thomas Goodbarn, P.E.



District One Engineer

AGRC9-NN

LINCOLN
LANCASTER COUNTY
NEBRASKA

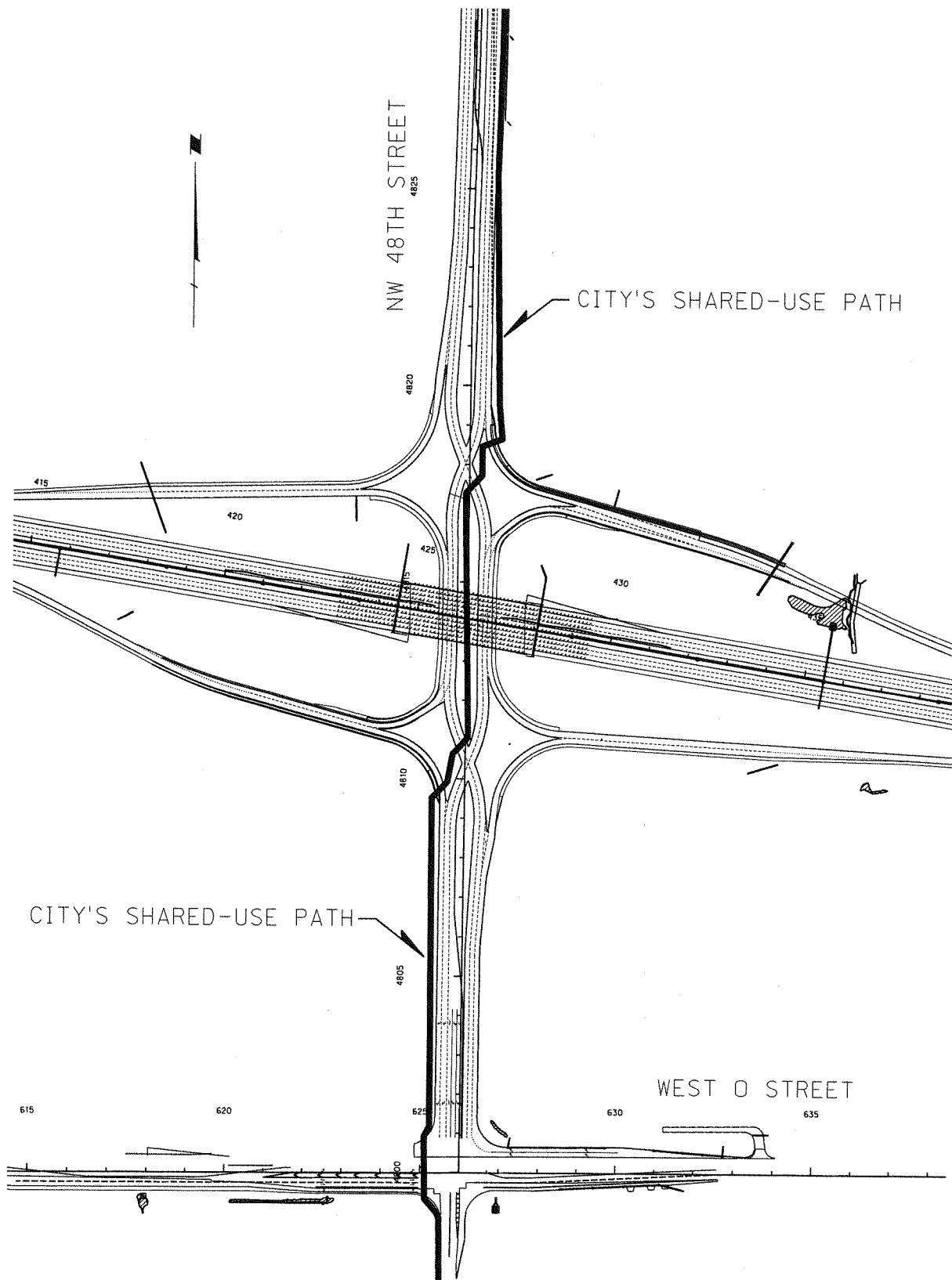


IM-NH-80-9(862)

C.N. 12489

NW 56TH TO US-77 SOUTH

EXHIBIT "A"



IM-NH-80-9(862)
CN 12489

EXHIBIT "B"